

85<sup>th</sup> Legislative Session – 2010

Committee: Senate State Affairs

Wednesday, February 17, 2010

P - Present  
E - Excused  
A - Absent

Roll Call

P Abdallah  
P Hanson (Gary)  
P Heidepriem  
P Knudson  
P Olson (Russell)  
P Rhoden  
P Turbak Berry  
P Gray, Vice-Chair  
P Dempster, Chair

OTHERS PRESENT: See Original Minutes

The meeting was called to order by Senator Thomas Dempster, Chair..

MOTION: TO APPROVE THE MINUTES OF FRIDAY, FEBRUARY 12, 2010.

Moved by: Gray  
Second by: Abdallah  
Action: Prevailed by voice vote.

SB 166: provide for the liquidation of the remaining property of the South Dakota Cement Plant Commission, to provide for the administration and payment of existing liabilities, to provide for the orderly winding up of the commission's affairs, to provide for the transfer of any remaining net proceeds, and to abolish the commission.

Presented by: Jason Dilges, Bureau of Finance & Management  
Proponents: Rob Wylie, Adm. SD Retirement System

MOTION: AMEND SB 166

1660a

On page 2, line 4, of the printed bill, delete everything after "." .

On page 2, delete line 5.

On page 2, line 6, delete "and payment".

On page 2, line 6, delete "to" and insert "of".

On page 2, line 8, after "." insert "Benefit payments and administrative expenses of the state cement plant retirement plan shall be paid from that plan's member trust fund. No funds for the payment of such benefits or administrative expenses may be transferred from the member trust fund created in chapter 3-12." .

On page 3, line 3, delete "claims" and insert "coverage".

On page 3, line 11, after "to" insert "a new".

On page 3, line 11, delete "3-12".

On page 3, after line 13, insert:

"

Section 10. The South Dakota Retirement System Board of Trustees may adopt, pursuant to chapter 1-26, such rules as may be necessary to establish uniform procedures for the administration of the retirement benefits of former employees of the state cement plant retirement plan." .

Moved by: Gray  
Second by: Rhoden  
Action: Prevailed by voice vote.

**MOTION:** DO PASS SB 166 AS AMENDED

Moved by: Knudson  
Second by: Gray  
Action: Prevailed by roll call vote. (9-0-0-0)

Voting Yes: Abdallah, Hanson (Gary), Heidepriem, Knudson, Olson (Russell), Rhoden, Turbak  
Berry, Gray, Dempster

MOTION: PLACE SB 166 ON CONSENT CALENDAR

Moved by: Knudson  
Second by: Abdallah  
Action: Prevailed by voice vote.

SB 21: revise certain provisions regarding exclusive benefit requirements and the range of investments available to the South Dakota Retirement System member trust fund.

Presented by: Rob Wylie, Adm. SD Retirement System (Handouts: Doc. 1)  
Proponents: Wade Hubbard, SD Retirement System (Handouts: Doc. 2)  
Representative Bernie Hunhoff  
Matt Clark, SD Investment Council  
Opponents: Senator Stanford Adelstein  
Representative Marc Feinstein

SB 134: provide for divestiture of state investment funds in certain companies liable to sanctions under the Iran Sanctions Act of 1996.

Presented by: Senator Stanford Adelstein  
Proponents: Representative Marc Feinstein  
John Radson, self, St. Paul, Minn. (Handouts: Doc. 3)  
Representative Dan Lederman (Handouts: Doc. 4)  
Sarah Teelman, self, Missouri  
Ken Orrock, self, Rapid City  
Dennis Foell, Disabled American Veterans  
Opponents: Matt Clark, SD Investment Council

MOTION: DO PASS SB 134

Moved by: Knudson  
Second by: Abdallah  
Action: Prevailed by roll call vote. (9-0-0-0)

Voting Yes: Abdallah, Hanson (Gary), Heidepriem, Knudson, Olson (Russell), Rhoden, Turbak  
Berry, Gray, Dempster

MOTION: AMEND SB 21

21ob

On page 2, line 16, of the Senate Retirement Laws Committee engrossed bill, delete "specifically including the enactments' effect in".

On page 2, line 17, delete "regard to Royal Dutch Shell, Petrobras, and Total".

On page 2, line 22, delete ":" and insert ".".

On page 2, delete lines 23 and 24.

On page 3, delete lines 1 and 2.

Moved by: Knudson  
Second by: Gray  
Action: Prevailed by voice vote.

MOTION: DO PASS SB 21 AS AMENDED

Moved by: Gray  
Second by: Olson (Russell)  
Action: Prevailed by roll call vote. (9-0-0-0)

Voting Yes: Abdallah, Hanson (Gary), Heidepriem, Knudson, Olson (Russell), Rhoden, Turbak  
Berry, Gray, Dempster

SB 89: exempt from federal regulation any firearm, firearm accessory, or ammunition  
manufactured and retained in South Dakota.

Presented by: Senator Larry Rhoden

MOTION: DO PASS SB 89

Moved by: Rhoden  
Second by: Olson (Russell)  
Action: Prevailed by roll call vote. (9-0-0-0)

Voting Yes: Abdallah, Hanson (Gary), Heidepriem, Knudson, Olson (Russell), Rhoden, Turbak  
Berry, Gray, Dempster

SB 91: require legislative approval of certain gaming compacts with Indian tribes.

Presented by: Senator Dave Knudson (Handouts: Doc. 5)

Opponents: Fred Assam, Flandreau Santee Sioux Tribe  
Jeremiah M Murphy, Great Plains Indian Gaming Assoc.  
Stanley Little White Man, Oglala Sioux Tribe, Pine Ridge  
Senator Jim Bradford

MOTION: DO PASS SB 91

Moved by: Knudson  
Second by: Gray  
Action: Failed by roll call vote. (4-4-1-0)

Voting Yes: Knudson, Rhoden, Gray, Dempster

Voting No: Abdallah, Hanson (Gary), Olson (Russell), Turbak Berry

Excused: Heidepriem

MOTION: DEFER SB 91 TO THE 41<sup>ST</sup> LEGISLATIVE DAY

Moved by: Abdallah  
Second by: Olson (Russell)  
Action: Failed by roll call vote. (4-4-1-0)

Voting Yes: Abdallah, Hanson (Gary), Olson (Russell), Turbak Berry

Voting No: Knudson, Rhoden, Gray, Dempster

Excused: Heidepriem

MOTION: TO TABLE SB 91

Moved by: Abdallah  
Second by: Olson (Russell)  
Action: Failed by roll call vote. (4-4-1-0)

Voting Yes: Abdallah, Hanson (Gary), Olson (Russell), Turbak Berry

Voting No: Knudson, Rhoden, Gray, Dempster

Excused: Heidepriem

THE CHAIR DEFERRED SB 91 UNTIL TO ANOTHER DAY.

SB 180: clarify certain statutes prohibiting political subdivisions from restricting firearms.

Presented by: Senator Gordon Howie

Opponents: Yvonne Taylor, SD Municipal League (Handouts: Doc. 6, 7)  
Bob Wilcox, SD Association of County Commissioners

MOTION: DEFER SB 180 TO THE 41<sup>ST</sup> LEGISLATIVE DAY

Moved by: Rhoden

Second by: Turbak Berry

Action: Prevailed by roll call vote. (8-1-0-0)

Voting Yes: Abdallah, Heidepriem, Knudson, Olson (Russell), Rhoden, Turbak Berry, Gray, Dempster

Voting No: Hanson (Gary)

HB 1088: revise certain provisions regarding the rights of certain new vehicle dealers and to declare an emergency.

Presented by: Senator Gene Abdallah

Proponents: Steve Biegler, Biegler Motors, Aberdeen (Handouts: Doc. 8)  
Rachelle Schaap, Schaap's RV Traveland, Sioux Falls  
John Hageman, Yankton Motor Co, Yankton  
David Hersrud, Hersrud Co., Sturgis

THE CHAIR DEFERRED HB 1088 UNTIL ANOTHER DAY.

MOTION: ADJOURN

Moved by: Gray

Second by: Olson (Russell)

Action: Prevailed by voice vote.

Cheri Hauschild  
Committee Secretary

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Thomas A. Dempster, Chair

